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S P E E C H

*Lincoln
Room*

BY

JUSTIN S. MORRILL, OF VT.,

IN FAVOR OF

TERMINATING THE RECIPROCITY TREATY

WITH GREAT BRITAIN,

DELIVERED IN THE HOUSE OF REPRESENTATIVES,

JANUARY 27, 1864.

WASHINGTON, D. C.:

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S P E E C H .

The House being in the Committee of the Whole on the state of the Union, (Mr. WASHBURNE, of Illinois, in the chair,)

Mr. MORRILL said :

Mr. CHAIRMAN, while I would not like to retard the progress of this bill by the discussion of irrelevant matter, I regard early action upon the joint resolution for the termination of the reciprocity treaty as no unimportant matter; and, not knowing when the Committee on Commerce will be able to report upon that subject, I shall avail myself of the privilege of general debate, not yet closed, to present the views I had designed to offer, whenever the subject should be properly before the House.*

* A JOINT RESOLUTION.

Whereas by the Reciprocity treaty concluded the 5th day of June and ratified on the 9th day of September, Anno Domini one thousand eight hundred and fifty-four, between the United States of America and the Queen of Great Britain, for the period of ten years from the date at which it should come into operation, and further until the expiration of twelve months after either of the high contracting parties should give notice to the other of its wish to terminate the same, each of the high contracting parties, according to the provisions of article fifth of said treaty, being at liberty to give such notice to the other at the end of the said term of ten years, and at any time afterwards, and thereby annul and abrogate said treaty;

And whereas it has become desirable to terminate said treaty, in the manner therein provided for, as its terms no longer appear reciprocally beneficial or satisfactory:

With a view, therefore, that steps be taken for the termination of the said treaty of the 5th of June, A. D. one thousand eight hundred and fifty-four, in the mode prescribed in its fifth article, at the earliest practicable period therein provided for, and that the attention of the Governments of both countries may be directed to the adoption of all proper measures for an amicable adjustment of any matters of difference or dispute which may remain or arise in consequence of the termination of said treaty :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized, at his discretion, to give to the Government of Great Britain the notice required by the fifth article of the said reciprocity treaty of the 5th of June, A. D. one thousand eight hundred and fifty-four, for the termination of the same.

[Introduced into the House of Representatives December 14, 1863, and referred to the Committee on Commerce.]

The joint resolution relative to the reciprocity treaty with Great Britain was introduced by me for discussion and action now because the allotted time when the year's notice for the termination of the treaty can be legally given draws near, and because it is a subject upon which, however we may be divided upon other questions, I am willing to assume every member of this House will reach and act upon conclusions justified by sound statesmanship and supported by what I take to be the general voice of the American people, as it is not too much to take for granted that no part of our people are contented with the treaty as it now stands.

We are a nation of producers, and one of the paramount duties of legislators is to see that producers are profitably employed and have a market for their products. Now, more than ever, should exports be encouraged, and any excess of imports vigilantly avoided. But the treaty is framed on the idea that we are a nation of consumers, and therefore it gives employment, not to us, but to provincial producers. It furnishes a new market for the agricultural productions of the provinces, rather than for those of the United States.

The joint resolution is not moved from petty spite, engendered by the unfriendly sentiments which a few subjects of the British Crown have been recently so swift to avow, as it appears to me for the interest and reputation of both countries to maintain the cordial relations of perpetual amity and good will; but the treaty, whether viewed as a foreign or domestic measure, seems to have been equally impolitic. Beyond all cavil it has proved unfortunate as a contract, and to me it appears equally clear to be, so far as it is a positive or negative revenue measure, unconstitutional. Not only is it one-sided and profitless to our people, but among its fruits we do not find any compensation of gratitude or increased respect for us on the part of the Government or of those of its dependencies

most benefited, and our own self-respect requires its earliest termination. In the disposal of this and kindred questions, it is also time the authority of this House was asserted and vindicated.

CONSTITUTIONAL OBJECTIONS TO THE TREATY.

The framers of the Constitution of the United States intended to place the power of taxation, whether external or internal, within the control of the House of Representatives, the most numerous legislative branch of the Government and most directly responsible to the people. With this view they copied a part of the unwritten constitution of England which has prevailed there since the time of Charles I, and is to this day more resolutely insisted upon by the House of Commons than any other privilege of liberty wrung from reluctant nobles or obstinate kings. Our Constitution declares that "bills for raising revenue shall originate in the House of Representatives." Thus far the practice, so far as it technically relates to such "bills," has never been directly in hostility to this rule, although in 1856, under the lead of Mr. Hunter and Mr. Toombs, the Senate attempted to originate appropriation bills. These *money bills* were placed in the control of the Representatives of the people as an offset for the equal representation of States in the Senate. In bills of supply in the British Parliament, so jealous are the Commons, that in the preamble the name of the House of Lords is omitted—the enacting clause reciting the grant as wholly their own.

The originating power of taxation is indubitably placed in the House of Commons, which claims to have a fundamental right as to matter, measure, and the time. The exalted attitude of England, it is declared by British authorities, is mostly owing to this transference of executive power to the House of Commons.

On this subject it was intended to confer upon the House of Representatives power and responsibility which cannot be and ought not to be renounced. To Congress—not to the treaty-making power—belongs the power of regulating commerce with foreign nations, as well as the power to levy and collect taxes, duties, imposts, and excises.

I do not hesitate to say that commercial treaties, of the character of the reciprocity treaty, go far to wrest from the House its proper constitutional authority, and the co-operation of the House puts in peril the rule which is one of the prominent safeguards of American liberty. So long as external taxation, or a duty upon imports, or so long as internal taxation, or a tax upon home productions, must be resorted to for the support of the Government, the House of Representatives has no right to surrender or even hold in abeyance any part of its legitimate functions touching the power of taxation. Such treaties obviously shackle us by engagements which preclude the free regulation of our domestic interests, however great the emergency.

The unlimited power of the British Crown to make treaties and to make war, places this question there, it is true, upon a different footing

from what it rests on here under the Constitution of the United States. A treaty made only in behalf of colonies, also, is not the same as one embracing the mother country. And, furthermore, as a practical question in Great Britain, no other nation producing manufactures more cheaply, revenue from duties upon imports has become of trivial importance.

It will be hardly controverted that the House of Representatives should be free at all times, and especially now, to exert its just powers untrammelled by treaties and clear of encroachments upon the part of other branches of the Government. It cannot be for the interest of any department of the Government to see any other crippled or falling into disuse and disrepute, and it is in the interest of liberty that the rights and privileges of the House should be always maintained in full strength and proper proportions.

I have not time within an hour to even present all the facts at hand relative to the economical value of the reciprocity treaty, and therefore the constitutional question, save to a limited extent, will be left to abler hands, although I may say it is of greater importance than even the large economical interests involved. I may, however, be pardoned for recalling to the notice of the House some portions of the history of the treaty proposed, but not ratified, with the Zollverein, by Mr. Wheaton, (March 25, 1844,) and made on the basis of equivalent and reciprocal reduction of duties.

Although the President in his message announced to the Senate that it would be, when ratified, transmitted to the House of Representatives for its consideration and action, the treaty was rejected by the Senate, and properly rejected, on the ground, as stated in the report of the Committee on Foreign Relations, that it was

"An innovation on the ancient and uniform practice of the Government to change (by treaty) duties laid by law."

And that

"The Constitution, in express terms, delegates the power to Congress to regulate commerce and to impose duties, and to no other, and that the control of trade and the function of taxing belong, without abridgment or participation, to Congress."

Secretary Upshur was not entirely unmindful of the rights of the House, as in his instructions he had directed Mr. Wheaton to proceed,

"Bearing always in mind that the sanction of Congress, as well as of the Executive, will be indispensably required before we accomplish the object in contemplation."

He ought also to have remembered that what one Congress might sanction another might not, and that one Congress cannot by its action deprive any succeeding Congress of its constitutional privileges.

If the treaty embraced subjects set apart and confided to the consideration of Congress under the express provisions of the Constitution, it would seem to follow that such a treaty would be void *ab initio*, for one House, or the Senate, is concluded from any exclusive control of these subjects. A power held by both Houses jointly can only be exercised jointly. The treaty-making power cannot set itself up as "supreme" to

the Constitution. And where the subject-matter embraced is of the class which in its inception exclusively belongs to the House of Representatives or will trammel the exercise of the provision that "all bills for raising revenue shall originate in the House of Representatives," it is an evasion which only requires to be carried far enough to practically extinguish one of the plainest edicts of the Constitution, and would nullify that popular control which it has hitherto been supposed wise for the House to maintain over the purse-strings of the nation.

Such a treaty when ratified could hardly be made more valid by a previous transmission to the House for its action thereon. Their opinion would be entitled to the same legal force as that of any other equal number of equally respectable gentlemen, and no more. All the binding force of forms would be perfect without that courtesy and without their action. The fact of exceeding their powers by the Executive and Senate, the other high contracting party, unless first noted on their part, would not be bound to regard, and a non-fulfillment of the treaty would furnish sufficient reasons for reprisals, and in the sequel possible war. This is the construction given by our own Government, under General Jackson in 1831, to the treaty of indemnity with France for spoliations when the French legislative bodies refused or neglected to appropriate the amount of indemnity stipulated by the treaty. The only safe policy for the Executive of the United States in relation to such treaties is to renounce forever the power to make them.

It is not a little surprising that in 1854 the House of Representatives should have been less mindful of their own privileges than the Senate had been ten years before. The reciprocity treaty concluded with Great Britain went much further even than the proposed treaty with the Zollverein. While the latter only proposed a reduction of duties, giving and receiving supposed equivalents, the former struck off all duties from numerous and a very important class of products. The inconvenience of this treaty has been more or less dormant while our revenue was abundant, but when the present rebellion burst forth, and it became necessary to largely augment the resources of the Treasury, the inconvenience was demonstrated at every step. In the adjustment of the internal revenue, as well as the tariff, the hands of the Government were tied up. Large resources were utterly lost because the waste-gates in the Canadian frontier were open and could not be closed, at least until the treaty should be terminated. We had not only to forgo revenue, abandon legitimate objects of taxation, but were compelled to make taxes more burdensome upon our own people in order to continue unimpaired the favors heedlessly lavished upon neighbors-in-law, whose friendship for the past few years, if it had been exhibited, might have been appreciated and proved current as some compensation for the pecuniary sacrifices made under the treaty.

The legislative action on the part of the

House, perhaps, binds the good faith of the nation to the execution of the reciprocity treaty, though there is no more doubt of the power even to repeal the act which gives it vitality than of any other act of Congress. But its repeal prior to the expiration of the term as agreed upon, like a refusal to observe any other contract, might furnish good cause for complaint and damages on the part of the British authorities, as there is, unfortunately, too much evidence of the advantages accruing on their side with not enough of counterbalancing offsets to mitigate damages.

Under the stipulation contained in nearly all recent commercial treaties, to give all privileges subsequently granted to the most favored nation, it might be difficult to see why any nation with whom we have such treaties could not, by admitting free of duty the schedule of articles as named in the reciprocity treaty, legitimately demand equal favors. Such an expansion of the contract might not very much increase the exposure of our interests, as other countries are too remote to reap any considerable advantages thereby, but the entanglements of our diplomatic relations and of our revenue laws would be serious.

COMPLICATIONS ARISING FROM TREATIES.

Complications sometimes arise by virtue of treaties not anticipated nor intended. When there is a conflict between a law of Congress and a treaty, the Executive practically decides the question at issue, and feeling more directly responsible for the latter as the "supreme law" than the former, sustains and executes, not the law of Congress, but the Executive version of the treaty. A signal instance of this sort is furnished by our treaty with Portugal of August 26, 1840. In article three we find the following words :

"No higher or other duties shall be imposed on the importation into the United States of America of any article, the growth, produce, or manufacture of the kingdom and possessions of Portugal, than such as are, or shall be, payable on the like article, being the growth, produce, or manufacture of any other foreign country."

In the tariff of 1842, two years later, specific duties were imposed upon wines, some of which were described by their common names and some with no other description than the name of the country from whence they came, at rates varying from six to sixty-five cents per gallon, and it was provided in the act :

"That nothing herein contained shall be construed or permitted to operate so as to interfere with subsisting treaties with foreign nations."

Soon after this tariff came into operation, Portugal, by her resident minister here, made representations that the law was in conflict with treaty stipulations, claiming the admission of her wines (Madeira and port) and those of her possessions, being higher priced than most other wines, at the lowest rate at which wine of any country or of any sort, no matter how paltry the quality or price, was or should be admitted. After protracted discussion by an eminent Secretary of State, it is curious to find that our Executive wholly abandoned the tariff

law of 1842, so far as it related to Portugal wines, collected duties upon the portugul construction of the treaty, and even refunded such duties as had been collected upon any other basis.

It should be admitted that the tariff of 1842 in some instances, barren as it was of any description save the name of the wine country where produced, was to a limited extent defective; but the pretension of the minister of Portugal that under the treaty the United States were precluded from levying specific duties upon wines, with rates according to their commercial value, on the ground that wine was a generic term, not divisible into species, and therefore embracing in a single word the weakest claret and the strongest port, "old Falernian," or such as will be improved when it is called vinegar, all equally alike, little deserved, it appears to me, the complaisance it obtained. If the Portuguese argument was valid, all our tariff laws have been at fault through their diverse classifications of coal, iron, hemp, and even as to carpets and other articles which might be easily cited, not unlike in name, but of widely dissimilar character and value.

The position of Portugal was and is wholly untenable, or would be were it not sustained by so respectable American authority. All that it is necessary for Congress to do in order to maintain its constitutional power, as it appears to me, is to frame a law descriptive of the class of wines it may be proposed to tax—not leaving it solely dependent for its nomenclature upon the name of the country from whence it comes, as that hardly concerns us in the adjustment—and a specific duty upon wines, with as many rates as sorts, if you please, may be imposed with propriety, without infringement of any treaty and with great benefit to the revenue. It may be added that it was possibly in deference to the Portuguese argument, to which our own Government had so patiently succumbed, that the tariff of 1861, if not that of 1846, did not secure more revenue from high-priced wines, and which seem to possess favor and flavor in the ratio of cost. It is some consolation, perhaps, that a considerable boon was yielded to an inferior and friendly power and not to any menace. As it is, however, cheap wines are taxed too much and expensive or luxurious wines too little.

From the recital of this case it is plain that the power of the House of Representatives over subjects of taxation may easily be tampered with, circumscribed, and perhaps be gotten rid of altogether by the Executive and Senate, should they ever persistently combine for this purpose, and there appears to be no remedy. Having, under the forms of treaty-making, usurped the powers of legislation, the Executive might at once proceed to enforce that legislation as "the supreme law of the land." If it be admissable to regulate with one nation by treaty the rate of duties on imports, would it not be equally so to fix by treaty the rule of naturalization with any other nation?

NO ACTUAL RECIPROCITY IN THE RECIPROCITY TREATY.

There is something so attractive in the terms reciprocity, equality, and free trade that our assent is yielded to measures which they are presumed to cover with antecedent inquiry or subsequent reflection, and it is only after a patient examination of the facts of history, the results of indisputable experience, that we become disgusted with terms which, if not invented for the purpose, mislead the understanding, and are made to mask a whole series of antagonistic principles.

What reciprocity is there in making cotton free to the United States from Canada when Canada produces no cotton? "King Cotton" was in no danger from long staple or short raised north of the forty-fifth degree. Whose ax is ground by making grindstones free to Canada from the United States, when the United States are mainly dependent upon the British Provinces for their own supplies? What equality is there in exchanging the grain and cattle markets of New York and Boston for those of Montreal and Quebec, when the former in their normal condition are twenty-five per cent. better than the latter, and when the latter under no circumstances can be available to the United States? What is the advantage of free trade in lumber with a country whose forests are inexhaustible and "coeval with the world?" Who proposes to carry coals to Newcastle or donkeys to Spain? What is the advantage of free trade that does not include something we make to sell or something that somebody is ready to buy?

STATISTICS RELATIVE TO THE RECIPROCITY TRADE.

The facts set forth by the report of the Hon. Israel T. Hatch, after a laborious investigation, in relation to the operation of the revenue laws and the reciprocity treaty, communicated to Congress June 18, 1860, would have attracted more consideration but that it was manifest no change would be made until the expiration of the full term of the treaty. I shall reproduce some of these facts, with many others of later date derived from United States and British documents, but confining myself mainly to the trade of the Canadas, as our trade with these provinces is much the largest, and so are our complaints.

In the four years from 1860 to 1853, inclusive, the importations free of duty from Canada to the United States were \$4,107,392, while the importations paying duty were \$15,002,634, or nearly four times greater. But the importations free of duty, after the treaty took effect, in four years, from 1856 to 1859 inclusive, were \$59,418,925, and those subject to duty had fallen off in the same time to \$2,150,394, or only one in twenty-eight. This is the first exhibition of *reciprocity*.

In 1858, when the United States collected duties only on \$313,953 in value of Canadian productions, those of American labor upon which duties were paid in Canada amounted to \$4,524,503. This is the next exhibition of *reci-*

procity, being on the scale of forty-five to one ! During 1856, 1857, and 1858, the amount of American industry taxed in Canada was \$18,-294,293 more than that of Canadian productions taxed in this country. By the returns of later dates it would seem that their trade has almost ceased to be a source of revenue to us, while from our trade they obtain their accustomed liberal contributions.

In 1856 the articles received from Canada, and made free by the treaty, amounted to \$17,810,-684; and if valued according to the prices actually obtained in our markets, doubtless the amount exceeded twenty million dollars. Had it been subject to an average rate of duty, the revenue would have been not less than three or four million dollars, and to that extent was mainly a bonus to the provinces.

By the treaty the ancient laws of trade have been subverted, and our exports to Canada, which formerly largely exceeded our imports, are now greatly less. They sell to us, but go elsewhere to buy.

Our domestic exports to Canada for a long series of years prior to the treaty were generally about double the value of our imports, and in addition our exports of foreign merchandise were sometimes equal and generally not less than half as much more. The relative position of the trade is now reversed.

The amount of goods exported to Canada in 1855 subject to duty was \$11,449,472, and in 1862 no more than \$6,128,783. The exports of manufactures, candles, soap, &c., to Canada in 1859 were, in round numbers, \$4,500,000, and they had decreased to \$1,500,000 in 1863.

The imports from Canada for the last eight fiscal years averaged in value \$16,643,825, of which only an average of \$467,488 paid duty on entering the United States.

Canadian tables show that for eight years, 1855 to 1862, inclusive an average of \$9,340,-000 of our exports to Canada paid duty, and \$10,720,000 were free. It will be seen that we are charged by them with duty on an average value of \$8,871,500 more than they are charged with by us.

In the first four years after the treaty came into operation we received of the list of articles named in the treaty \$28,771,691 in value more than Canada received from us. If this is reciprocity, the less we have the better. In 1861 the imports from Canada were \$18,645,457, and our exports were \$14,361,858, or an excess of imports over exports of \$4,273,599. This amount is to be augmented by \$2,611,877 of goods of foreign origin which merely passed across our territory and were transmitted in lieu of exchange or gold to meet our indebtedness, and would not have been received by Canada but for the fact that they were obtained cheaper thus than they could have been through the St. Lawrence.

The amount of our export of coin for this year I have been unable to ascertain, but Canadian returns credit us in 1862 with \$2,530,000, and in 1863 with \$3,502,180. That it was much

more there can be no reasonable doubt. The fair inference would be that not less than \$10,-000,000 are annually drawn from us in gold, or its equivalent, to pay for agricultural productions not required, and to glut markets which our own people are all the while eager to supply. We have no reciprocity treaty with any other country, and no other presents so unfavorable a balance-sheet. Even our trade with China is more profitable.

That the profits of such a trade accrue to the Canadians is manifest, as it would be preposterous to charge a profit to the side of gold, exchange, or foreign merchandise. Thus millions annually are transferred from American to Canadian pockets. Is it wonderful that magnificent railway improvements cut their way through Canadian forests?

Considerable merchandise is also taken from the United States into Canada in bond, which does not figure in our tables of exports at all; and there may be, for aught I know, as there are few difficulties in the way, a corresponding amount smuggled into our ports from the Canadas, which of course does not figure in our tables of imports. The trade of goods in bond, which is no part of the reciprocity treaty, by the by, has grown to be large. It serves to pay off, as far as it will go, our indebtedness to Canada in lieu of coin. At one port, Island Pond, Vermont, the foreign merchandise in transit to Canada under bond in 1861 amounted to \$6,-608,509. It is remarkable that our domestic exports at the same point were only \$219,746. These are in lean thousands, while the former, handled by us gratis, loom up in millions ! Like the traffic of Falstaff, it is a "half-penny-worth of bread to an intolerable deal of sack."

The amount of revenue now collected by the United States upon importations from Canada is pitiable enough; and if we deduct the articles not actually there produced, we shall find that in four years, from 1856 to 1859, inclusive, the average amount was only on about one hundred and fifty thousand dollars annually, yielding not more than \$25,000 of yearly revenue, and not sufficient to pay a tithe of the annual expenses of the collection districts, scattered, as they are, along a frontier of six thousand miles in extent, and yet one fourth part, or nearly that, of all Canadian revenue is derived from duties on merchandise from the United States.

Neither our people or the Government derive advantage from this reciprocity treaty. The trade has, it is true, largely increased; but the footsteps of the profits all point to the lion's den, none returning outward. We are the factors serving without pay or commissions.

When one nation admits cotton or any raw material free of duty, other nations are forced to follow the example, or cease to manufacture beyond their own consumption, unless they give an equal compensatory advantage upon exports. This policy has already made free of imposts throughout the world a large class of productions. They cannot be longer relied upon for purposes of revenue. Canada, like other

countries, had and still has a large free list. What articles can now be exported to Canada free under the treaty had the same freedom to be so imported prior to the treaty, and mere self-interest would have compelled an adherence to that policy, whether the treaty had been made or not. We got nothing new on this score, but surrendered much. We conceded to them what we do not concede to others, but what was conceded to us was either not new, or conceded to everybody, treaty or no treaty. What we export free under the treaty, therefore, gives to us no special favor, as the Canadian markets are open to all the world for almost the entire list of articles named in the treaty, many of them being such, at the same time, as we levy or might levy duties upon when imported into the United States from other countries, and for which the provinces have no other vent but in the United States.

THE HOSTILE CHANGES MADE IN THE CANADIAN TARIFF.

The changes made in the Canadian tariff from the specific to the *ad valorem* system, and by steadily advancing the *ad valorem* rates of duty each and almost every year after the date of the treaty, were avowedly made not only for revenue but to favor British industry, which was reconciled to an increase of duties by a more exclusive enjoyment of the Canadian markets thereby secured. By having the dutiable value of merchandise estimated at the last port or place from whence imported, it was correctly supposed British merchandise would obtain the advantage of a duty computed on the naked valuation at home, with no addition for freight, insurance, exchange, or other charges—with the door open, also, for undervaluations—while American merchandise would be taxed on the value here at the very gates of Canada. A difference of perhaps twenty-five per cent. in favor of British goods, made by cheap labor and by the use of long-accumulated capital eager for safe employment at any price! How long American trade would thrive against such odds, when forced to pay twenty dollars duty where others pay only fifteen, was easily to be foreseen, and, no doubt, keenly appreciated.

It was thus Canada reversed its own policy, and turned its back upon that of the mother country, so industriously proclaimed for the last fifteen years, for the purpose of excluding American productions, as competition was mainly to be apprehended from this quarter. Not only were low duties exchanged for much higher duties, but a sound system was abandoned for a vicious one, according to British authority and practice, for the reason that (the reciprocity treaty having been secured) the old system might inure to the benefit of the United States and not of Great Britain. And this, I suppose, to adopt the language of the Canadian minister, is "only proof of the wisdom of the means employed, not evidence of a design merely to injure others." Great Britain could be benefited only by the exclusion of America; and thus it happened, from no design or ill-will, that Amer-

ica was excluded. It was not to rob Peter, but to pay Paul, that Peter was robbed! It is not wonderful that Canada earnestly seeks an extension of the reciprocity treaty, so felicitously improved, nor that her minister should denounce "the extreme folly of all those who would needlessly seek to disturb it."

When Canadian policy has been unequal to the work of securing further advantages, the mother country comes in as an efficient coadjutor. Under the treaty, timber from the British provinces is admitted free; but Great Britain, when timber was sent there, maintained, until 1860, a system of differential duties in favor of colonial timber. They had a right to do this; and I only urge, while they act independently of us, that we shall act independently of them.

It may be suggested that action upon the tariff subsequent to the treaty by the American Government now precludes complaint, on our part, for the advanced scale of duties levied by the Canadian tariff. The facts, however, will not cover a resort to this argument. They had nearly doubled their tariff by yearly additions as early as 1859. We had reduced our tariff about twenty per cent. in 1857, and afterwards, it is true, it was increased, but not until 1861, when the Canadian tariff was still further advanced.

The tariff of 1861, approved by a Democratic President, was framed, firstly, to obtain a revenue equal to our expenditure, based on a scale of strict economy; secondly, to furnish a *steady* revenue, avoiding actual discriminations against and to allow some discriminations in favor of American labor; and lastly, to establish a principle that would enable the American importer to introduce merchandise with no higher payments of duty than those paid by foreign manufacturers or by foreign merchants engaged in the American trade. In other words, *specific* duties were adopted wherever practicable; but so far as the British provinces were concerned, this gave them an advantage over more distant countries, and was the very principle discarded by them, because of the local favor of which it was susceptible. It is a great though a common error to assume that this tariff fixed rates of duty much higher than that of 1846. It translated many of them into specifics upon an average value computed for a series of years, and restored many others to the same *ad valorem* points, with as many lower rates as higher, where they stood under the act of 1846. In the language of geometry there was only a change of terms, or the reduction of an uncertain quantity to an equivalent and certain quantity. Some additions were made to the free list, and in some instances a mixed or compound system—the specific and *ad valorem* combined—was adopted, but this system is regarded as most useful by both Great Britain and the Canadas. It was an effort to carry out the theory sanctioned by the experience of nearly all civilized nations who have adopted specific duties as the only mode of escaping from the perpetual variations and vexations of the *ad valorem* sys-

tem; but the amount of duties to be levied was not, upon a general average, much advanced. The effect was to collect whatever in fact was levied. It computed the duty upon a just valuation, and that duty, always the same, was to be honestly collected of both the Jew and the Gentile.

It should be understood that any change in the United States tariff would not sensibly effect Canadian trade. All articles of the growth or produce of Canada, which she had to sell, were already free by the treaty, and would, therefore, be left untouched. Canada really produces little in the way of manufactures, and the treaty nearly covered all other exports they had from one extremity to the other. But it was far otherwise with the United States.

One of the arguments most persuasive to us at the time of the adoption of the treaty—always excepting the undeveloped good will—was the low rates of provincial tariffs; and this might have proved less potential but for the seductive entertainments, the bird suppers and champagne, which sometimes win their way where the diplomacy of arguments might despair. The wax on corks often has an intimate relation to the wax on parchments. I only mean to assert that secret service money, by the United States as well as by Canada, it is widely understood, was actively employed in bringing about the treaty; and if our share, as well as that of Canada, was not expended *here*, it is difficult to see *where* it was expended. It is a silly sheep that bribes the lion to a repast of mutton. The provincial appetite needed no whetting.

Of course it was neither suggested nor anticipated that the policy of specific or low duties might be suddenly changed, nor is the fact mentioned to reproach Canada with bad faith, but as a warning to such as have faith in further lessons of *reciprocity*.

The British provinces are not remote nor unconnected, and it would seem that we might hope from them sentiments of ordinary good will. If they were independent, and united or not united to us, we might count upon some positive friendship. But they touch us throughout the whole breadth of a continent, and they are yet merely in the rank of colonies, and being so, their rulers appear to be more or less moved by selfishness and by that unceasing spur of an inferior with the role of a rival—jealousy. Their Government is less anxious to become the exponent of the voice of their own people than to echo that of a far-off ancestral aristocracy. We may wish it were otherwise, but a reciprocity treaty only aids to confirm such facts.

Other reasons alleged for the increase of the Canadian tariff are that the Government had embarked in extensive works of internal improvements—railroads and canals—and must have revenue to pay the interest on the outlay. In order that these might carry freight at low rates, or without tolls, the Government assumed heavy burdens, and now levies taxes upon their whole people for the benefit of freighters. The

completion of such subsidized works, supported upon such national principles, is conclusive and inexorable upon the competition of private enterprise. Like the steam-vessels, to which the British Government pays subsidies, wherever they touch private adventures vanish and American interests are overmastered. Merchandise from the United States is taxed with increased duties to enable Canadian roads and canals to carry not only their own products, but to underbid for the carrying trade of American products, and to work so cheaply as to deter and discourage rivals from springing up on American soil. They propose for a consideration to undertake our railway transportation at reduced rates, but at last we find the railway charged to us in a bill of items! I do not point out these things in the mood of wailing for wrongs, but to show there is a people across our borders quite as cute at a bargain or in securing the mastery of accidents as those who dwell on this side of the line. We must do our own carrying trade on land and water, and not forget that one nation which builds iron ships imposes their construction upon others. It will hardly be said that Canada can better afford national subsidies to thoroughfares than the United States.

Our laws, which do not permit foreign ships to carry from one of our ports to another, yet permit foreign railroads almost an unrestricted enjoyment of the privilege so jealously denied on the ocean, rivers, and lakes. Thus, through our own laws and treaties, we seem to have been for the last ten years pre-eminently employed in building up the trade of a people who *sell* to us, but who will not *buy*; who carry not only their own products to market but American, and who build their own ships, and are eager for such an extension of the reciprocity system as will allow them to do the little shipbuilding and such coasting trade as may remain for American commerce. There is no labor from which they would not relieve us until they have relieved us of our gold.

Our position gives to us the carrying trade over about one hundred miles of railroad, controlled by a perpetual British lease, and in whose prosperity no American has either a dime nor a vote, from Portland to Canada line, which the giant corporations of the British provinces have Anglicized and monopolized; and for this equivocal favor we have, with excessive liberality, allowed more than one thousand miles of Canadian railroads to successfully compete for the carrying trade from one point to another in the United States.

WESTERN STATES MOST INTERESTED IN THE ABROGATION OF THE TREATY.

The western or agricultural States have suffered through the operation of this treaty as much if not more than any others, and have made least complaint. Their products are so immense that they do not miss what is filched from them by land rats or water rats. Such of the eastern States as fail to produce their own breadstuffs, or their butchers' meat, or their wool, or their horses, would not be likely to

protest against supplies from Canada, and the consequent reduction of prices. The European markets present no opening to the United States or Canada for agricultural productions except in seasons of deficient crops. The northern and eastern United States furnish the only reliable markets year after year for any surplus produced by even Canada, as well as the western States. For example, all the wheat and flour sent by the United States to England in 1858 and 1859 amounted to only \$1,736,152, or less than half of the amount thrown into our markets from Canada during the same time, which was \$3,665,502. There is no year when her entire trade with us has not been much greater than with all other countries.

The highest authorities upon political economy lay down the principle that if there are one hundred stores or houses to be let in a city, when only ninety are wanted, the price of rents will go down, and the one hundred will rent for no greater sum than would the ninety alone. When there is not a market abroad, and Canada becomes a competitor with the western States for the American markets, a similar result must follow. The whole amount taken from Canada comes out of the price of the much larger amount taken from the western States, and no more is paid for the whole than would have been paid to the western States for their contributions alone. This influx of Canadian productions so far is a benefit to the Atlantic cities and manufacturing towns, but it is a benefit that rebounds to the injury of all agricultural districts, including western States, and which, fairly computed, would enable them soon to create for themselves means of cheap transit by land or water, rivaling all that appear across the line to have prospered at our cost.

But manufacturing villages and even cities can only prosper by finding an outlet for manufactures and the various articles which, by the manipulation received in these places, are prepared for sale, and Canada has no market for any such American productions. That is entirely absorbed by England.

It may be supposed that Chicago, the busiest city of the world, has a large interest in this trade, but the whole amount of merchandise received there under the treaty in 1862 was but \$45,763, and of that \$16,640 was brought by foreign vessels. In 1863 the trade was \$58,238, and \$27,877 of that was brought in foreign vessels. The same exclusion of American shipping interests tracks this trade even in the East. At Boston, of \$1,330,781 of merchandise received in 1862 only \$148,327 was brought in American vessels. At New York, of \$636,891 only \$22,592 was brought in American vessels, and in 1863 it was still worse, when out of \$633,419 all but \$7,831 came in foreign vessels. Such are the fruits of reciprocity!

The wheat which we send to Canada generally goes there to be ground, and we receive an equal or greater amount in flour, or it is merely there in transit for a market abroad. It is certain that it does not go there for consumption.

Formerly we helped to stock Canada with horses, cattle, and sheep, but now they have an annual surplus of all these for which there is no other market than that of the United States. Can the western agriculturists prefer the prosperity of the British provinces to their own? Do they wish to grant such favors as shall leave Canada farmers no room for envy? Do they wish to create a rival for foreign emigrants?*

The treaty as now developed totally ignores American interests; certainly the compensations received when found will have to be diligently sought for. If the rebels of to-day, animated by all their fiercest hate, were at liberty to bind us by a convention with their newly-found admirers, it might be found difficult to concoct an arrangement bearing the semblance of two high contracting parties, more detrimental to the interests of the United States, more wholly vicious toward the North and West, or more utterly valueless to the South.

THE TEMPER OF THE PROVINCIAL GOVERNMENT NOT SUCH AS TO ENTITLE THEM TO FAVORS.

In the abstract, no objection appears to the principle of reciprocity, but practically the treaty falsifies at every step the doctrine of its framers. A treaty possibly comprehensive enough in all its details might be made so as not to disappoint in its results either party who made it, nor be capable of evasion by either party through hostile legislation; but, with our recent experience, he would be a hardy statesman that should undertake it with a people who are proud to maintain a foreign "allegiance and affection," and whose utmost inclination must be to mete out no more to us than what is "nominated in the bond."

Commercial treaties for so-called reciprocal duties have been regarded by all writers upon

* Extract from the Montreal Herald :

"There is no getting round our unfortunate geographical position; while at no time independent of our neighbors for a market, we are for five months in the year entirely dependent on them for a seaport. Fancy what the condition of the millers and farmers of western Canada would be to-day without the American market. What would become of our surplus products in the present absence of English demand? The statistics of the astonishing growth of our frontier trade since reciprocity reveals to any administration disposed to use it the power they possess over our progress, either for the purpose of snubbing England through us, or retaliating our want of sympathy and good neighborhood in this time of their discomfiture."

Extract from an address of Hon. Isaac Buchanan, M. P. P. for Hamilton, Canada West, 1859 :

"And Lord Elgin bribed the Americans by sharing with them our fishery and navigation rights to give us the reciprocity treaty, which while it exists removes the Canadian farmer's cause of complaint. Now, therefore, the preservation of this reciprocity with the United States is shown to be not only the interest of the farmers and through them of all others in Canada, but of the British Government, as without it Canadians are left in a position to be much benefited by Canada being annexed to the United States. I speak plainly, viewing him the most loyal man who speaks most plainly at such a crisis. * * * *

"And but for the most obvious providences, among which is the obtaining of our reciprocity treaty with the United States, the disruption of the empire would have been endangered ere now. * * * *

"The great practical end of all our efforts is to arrange that the Canadian farmer has nothing to envy in the condition of the American farmer."

the subject of political economy as hostile to free trade. They are certainly hostile to uniformity and to equality with all nations. They start with the idea of favoritism. To show preference by treaty or by law for one nation over another is to give them just grounds for complaint. The American mode of bringing about reciprocity and free trade has been by the admission of new States upon an equal footing with the old; and it was, perhaps, a legitimate mode, certainly not an unfair mode where all parties consented; but we have now no gifts of this kind to obtrude upon reluctant recipients, nor for even the warmest of suitors. Until the contest in which we are engaged shall be ended, it is unworthy of our dignity to proffer or accept of any new alliance. Proud of the past, we will not doubt the future. We stand up now to despise cynical criticisms as we shall stand hereafter to despise hollow congratulations.

When the reciprocity treaty was made, we seem to have forgotten the naval raid upon our fishermen two years before, and our ears were tuned to harmonies, to the interchange of acts of national kindness and increased neighborly intercourse rather than to the sharp advantages of commercial profits; but even in this aspect the treaty has turned out a melancholy failure. The perfume of sweet words quickly evaporated. The provinces, as represented by their mouth-pieces, were as eager for the wager of battle when the subject of the Trent came up as were the foremost among the representatives of England herself. They have greeted the traitors, embraced the pirates, and lauded the chiefs of the rebellion as heartily, and they sustained the British ministry as fully when British-built ships were permitted to go and make piratical war upon our commerce as the pro-confederates of England. Not content with the illicit trade, in violation of the blockade, in which they had embarked with a shameless greed, it is notorious that their accredited organs, while we were admitting provincial products *free* to our war markets, were vociferously sustaining the policy of the British ministry in *letting slip* the Alabama, Sumter, Georgia, and other piratical ships, to capture and destroy our peaceful commerce. They have smitten us severely on both cheeks, and there is no Christianity that requires an exposure to further blows.

I do not suppose a majority of the people of the provinces sympathized with these British outrages upon justice, decency, and international law, but no remonstrance and no petition has ever gone forth against those unfriendly manifestations from even Canadians, who are reported more friendly than the people of some other provinces, where descendants of tory refugees have not yet buried the hatchets forged by their forefathers to stay the Revolution of 1776. They have not dared to be otherwise than dumb in presence of what they supposed might be the august public opinion of Great Britain.

As an American, whatever I may have thought heretofore, I declare that I have now no disposition to see the Canadas, with these recent evi-

dences of their temper, annexed to the United States. They have played the part of subalterns so long that I am led to doubt their capacity for independent government. The task of State administration may be above their present reach. The mother country, with an enlightened self-interest, has often evinced a disposition to be rid of the charge of these provinces; it professes no high regard for their mixed population, who appear to lack the spirit to go through the door is pointed out to them, and though told often that they are unprofitable servants.* Such a people can take time to cultivate self-reliance, to develop their own statesmen, and to create some feeling of independence before their alliance will be so esteemed as to be eagerly courted.†

There have been, it is said, no infractions of the reciprocity treaty, and none, it is believed, have been or are intended. This is much the stoutest defense of the Canadian Minister of Finance for all American complaints, and yet it is plain that Canadian policy has so manipulated its revenue laws, and its system of canals and railroads, with the collateral support of Great Britain, as to secure many and important advantages not dreamed of by our negotiators or by our people at the birth of the treaty. We propose to abide by it to the bitter end. Good faith requires nothing beyond. British subjects will have obtained for eleven years, by virtue of the treaty, the chief commercial advantages they must have derived as States of the Union without contributions of service, imposts, taxes, or good-fellowship. If they are to retain them longer, let us know the reason why! During this time, and for the first time in their history, they have become our peers in the ratio of increased wealth and population, and this mainly in consequence of our unrequited commercial hospitality!

The fact, if it be a fact, that such a treaty may be literally complied with, and yet in its operations may present so many subjects of discontent, is a strong proof of its fundamental impolicy. In spite of ornate pretension, each country, when put to the test, will seek to promote its own interests regardless of those of the other; and in the case of the provinces, colonial dependents, the next best friend to be next served is the mother country, to whom they owe an exhaustive "allegiance and affection," and to

* Those familiar with the tone of the London *Times* toward the Canadas will see that it scolds in the same imperious tone practiced by Burke in generations gone by:

"The province of Nova Scotia," said Mr. Burke, "is the youngest and favorite child of the Board [of Trade.] Good God! what sums the nursing of that ill-thriven, hard-visaged, and ill-favored brat has cost this wittol nation! Sir, this colony has stood us in a sum not less than £700,000. To this day it has made no repayment: it does not even support those offices of expense which are misnamed its government. The whole of that job still lies upon the patient, callous shoulders of the people of England."

† Extract from the Duke of Newcastle's dispatch to Governor General Monck, August 21, 1862:

"A country which, however unjustly, is suspected of inability or indisposition to provide for its own defense, does not, in the present circumstances of America, offer a tempting field for investment in public funds or the outlay of private capital. Men question the stable condition of affairs in a land which is not competent to protect itself."

whom they look for military defense and protection against all foreign foes. Among the chief of such sinners, I am sorry to say, they are suspicious of the United States. The interests of Canada *first*, and of Great Britain *second*, will be, as they have been, studied and artfully promoted by all the means and appliances of adroit ministers of both countries, while the United States comes in as the goose to be plucked, and the lauded principles of reciprocity, like garments worn at court, will be, as they have been, laid aside upon the resumption of the ordinary business of life.

THE PRINCIPLE OF THE GERMAN ZOLLVEREIN REJECTED.

The Committee on Commerce (by Mr. WARD) made a very elaborate report to this House on the reciprocity treaty, (February 5, 1862,) wherein they argued that the grave faults already developed in the treaty should be remedied by a greater extension of the same system, even to the extent of the German Zollverein. Doubtless they had read:

“For shallow draughts intoxicate the brain,
But drinking largely sobers us again.”

This is good poetry, but I submit it is not sound advice for us, though the Canadians reprinted and adopted the argument, rejecting only the conclusion. The principle of the Zollverein, or toll-alliance among several States, as to imports, exports, and transit, was a happy thought for the numerous but small German sovereignties with similar peoples and no natural geographical boundaries; but it is not applicable to a great nation with a large territory, independent and determined so to remain. There could be no rule of division for revenues so obtained but that of population; and it is too obvious that the people of the provinces do not and cannot consume, *per capita*, anything like the amount of merchandise charged with duties consumed by citizens of the United States. They simply have not the ability to do it.

It is, however, idle to discuss this matter. The proposition of the Committee on Commerce has been before the Canadian Government, and while they want a chance to sell ships and a further share of our coasting trade, their conclusion was that the Zollverein is wholly inadmissible. Mr. Galt, “the Minister of Finance, to whom was referred the report of the Committee on Commerce of the House of Representatives on the reciprocity treaty,” in his cautious report to his excellency, the Governor General in Council, March, 1862, sums up the case as follows:

“The undersigned can have no hesitation in stating to your excellency that, in his opinion, the project of an American Zollverein, to which the British provinces should become parties, is one wholly inconsistent with the maintenance of their connection with Great Britain, and also opposed on its own merits to the interest of the people of these provinces.”

After a response so explicit, I trust we shall not be so unwise as to press for a reconsideration of an offer we cannot seriously afford to make.

SUPPOSED ADVANTAGES OF THE TREATY CONSIDERED.—FISH.

In the disposal of this question it is proper to consider all the advantages directly or remotely derived from the reciprocity treaty. The chief of these, if any can be found, are supposed to relate to the fisheries. Prior to this treaty, we were confined to the stipulations of the treaty of 1818, having weakly surrendered our rights under the treaty of 1783, and this gave to us privileges only upon the coasts and shores within certain boundaries, while we renounced all claims to anything beyond. By the reciprocity treaty we obtained some privileges in common with British subjects upon the coasts and shores generally of British American possessions, and gave up to the common use of British colonial subjects similar privileges on our own coasts, shores, and islands north of 36° north latitude, mutually excepting shell-fish and the salmon and shad fisheries. The favors so exchanged were reciprocal and equal, unless the fishing grounds near the United States are the least productive; and however that may be, the fisheries of the United States, as a whole, have not acquired thereby additional prosperity. The exception of the shad and salmon fisheries gives to the provinces an entire monopoly of that trade; and yet our markets were made free, even for the fish we are precluded from catching! Here are free imports, and a decidedly *fishy* reciprocity. To the late mackerel fisheries the treaty may have been of some service, and especially to that of Gloucester, which has increased; but in many places since the treaty the business has diminished and is slowly disappearing. Late in the season fishing near the shore for fat mackerel is indispensable to success; but the main catch is outside of these limits; and codfish is now mostly dry-salted on shipboard and then brought home to be cured. Provincial shores are therefore less needed than formerly. The provinces are allowed by the treaty to bring into our markets free of duties fish of all kinds, fish oil, and “products of fish, and all other creatures living in the water;” and it is this permission which supplants our fishermen, and robs them of their occupation.

The fish part of the treaty had been steadily refused by us when tendered alone or conjoined to other propositions up to 1854. The proposals made by Canada, from 1847 to 1851, for a “free interchange of all natural productions,” were not accepted by the United States. The British minister in 1851 offered “if the United States would admit all fish, either cured or fresh, imported from British North American possessions in vessels of any nation or description free of duty, and upon terms in all respects of equality with fish imported by the United States,” that they were prepared to throw open their fisheries, with certain limitations, to us, with a threat of measures to be adopted if no arrangement on the subject should be made; and this overture was also declined. Mr. Seward, in the Senate, agreed with the President that if anything was to be done it should be by

reciprocal legislation. (That, by the way, is our only true course now.) The provinces were disappointed, and, with the alacrity of those already scenting their prey, they obeyed and joined England in that stroke of policy—setting up a new interpretation of the treaty, excluding us from bays, and running the line of three miles from shore, not according to the shore line, but from headland to headland—to compel us in 1852 to accept of reciprocity, which resulted in the advent of a fleet of naval vessels to seize such of our fishing vessels as might pass beyond the new interpretation so suddenly and without notice to be enforced. They assumed to ‘hold us to our bargain,’ as they styled it, unless we consented to give them a still better one. War was played as a game.

Mr. Webster, then Secretary of State, in a speech made at Marshfield, said :

“The fishermen shall be protected in all their rights of property and in all their rights of occupation. To use a Marblehead phrase, they shall be protected ‘hook and line bob and sinker.’ ”

Who could have supposed that in two years (under a new Secretary of State) the reciprocity treaty would have been an accomplished fact, or that history would require the “Marblehead phrase” to be prefaced by the word *gone*?

It would be just to revive the rights so fully conceded to us by the treaty of 1783, which were secured through common treasure, and won more by the repeated prowess of our own people, in the days of our colonyhood, than by that of Great Britain, who often surrendered our conquests *here* to recover our losses *elsewhere*; and these rights permitted our fishermen to go wherever they had been accustomed to go. Anything less now would be un-American and fall short of our due. In time we may reach a higher plane when freedom of the seas will comprehend freedom of fisheries. No nation can have an inherent right to map off the ocean and claim exclusive enjoyment of any inexhaustible fishery.

To go back again to the treaty of 1818, as the worst possibility that might happen, would subject American fishermen to the inconvenience of keeping off three marine miles from shores to which that treaty gives us no privileges, leading to occasional disputes, and might prove an injury to the late mackerel fisheries; but these evils are not wholly insurmountable and by no means of the weight of the general considerations exacted of us as equivalents. These would be the proper subjects for treaties and would be re-adjusted in some subsequent convention. It is no longer doubtful that our fishermen lose more from the free admission of fish from the provinces than they gain from the privilege of fishing inside of the line of three miles from certain shores. When the catch is short they make nothing, and when abundant the glut from provincial competition steps in between them and all legitimate profits. Besides the near-shore fishermen lose their hardiness and become idlers. Thus our people, renowned for

their aptitude and success in securing “the wealth of the seas,” behold their empire passing to the hands of strangers.

LUMBER.

The lumber trade from the British provinces has given some commercial life to towns and cities where it might not without the treaty have been found, but even this is at the expense of American interests. The pines of Maine, of New York, and of Michigan must wait for the ax until the black forests of the provinces have been culled and exhausted. The timber lands of our own States, exposed to this unlimited Canadian rivalry, are indefinitely postponed, and will not be cleared and fitted for cultivation while timber at a less cost can be obtained anywhere this side of Labrador.

If the sources of our supply were again to be mainly confined to the United States, the prosperity obtained by even the local distributive points would not be lost, though in some degree changed to other localities. An equal trade would spring up somewhere, differing chiefly in the sources of supply, and that difference would be a positive gain to the United States. It is also true that provincial lumber, if subject to a moderate duty, would not be wholly excluded, but would still float to a considerable extent to United States markets. Provincial lumber might be sold at home for a trifle less, or as much less as the duty, and would be offered here without any material advance.*

Looking at Oswego, the port where perhaps the largest amount of the lumber trade centers, and the fact is evident that it is mainly in the hands of Canadians. In 1862, there was \$3,551,239 in value of merchandise received under the treaty free of duty, but of this more than five-sixths, or \$2,973,783, was taken there in foreign vessels. It was even worse in 1863. Of \$2,627,723 then received, \$2,253,349 came in foreign vessels. Our export trade at this port and many others appears to be falling off. The exports to Canada of domestic produce in 1856 were \$4,787,750, and in 1861 they were only \$2,075,895. The exports of foreign merchandise in 1856 were \$686,357, and in 1861 they were only \$275,265. The domestic exports from Chicago in 1856 were \$1,345,223, and in 1861 they were \$352,343. The ports of Detroit, Oswegatchie, Genesee, Champlain, and other places present similar unfavorable comparisons. Surely the commercial interests have no reason to look upon such a trade with special favor.

USE OF CANADIAN CANALS.

By article four of the treaty, we have the privilege of using the Welland and all the St. Lawrence canals upon the payment of the same tolls as are or may be exacted of her Majesty's subjects, but with the right retained to suspend

*Our consul at Bristol, England, September 10, 1862, says there is a deduction on railroad iron of six dollars per ton since the tariff (of 1861) passed, and he adds that crockery “can be purchased at a deduction equal to the percentage of the tariff. The same is probably true of cutlery.”

the privilege upon due notice. Except in time of war, when, of course, the canals would not be exempt from the law of the strongest, the Canadian Government from sheer interest would seek such patronage upon such conditions. Tolls would not be refused while the grist came to their mill. But, notwithstanding this provision, vessels of the United States have practically been made to pay ten times as much toll as Canadian vessels. This has been brought about by legislation, which provides that vessels producing certificates that they have landed and discharged their cargoes at Canadian ports shall have ninety per cent. of the tolls refunded. Provincial vessels, of course, naturally do this, but American vessels naturally do not. We use their Welland canal, and for that we are taxed as much as we should be if we used all their canals going to Quebec. What we want they tax heavily, but what we do not want they tax lightly. Here is a discrimination legally and dexterously made, which strikes a heavy blow against American shipping interests.

NAVIGATION OF THE ST. LAWRENCE.

The only other advantage expected (but not realized) under the treaty, that occurs to me, was the free navigation of the St. Lawrence, for which we gave in return that of Lake Michigan. This might be desirable to complete the circuit of water communication, if we used it, but we do not; or if we had any interest in building up Montreal and Quebec at the expense of Portland, Boston, and New York, but we have none. In the first six years after the treaty only forty American vessels, all of small tonnage, passed seaward through the St. Lawrence, and of these but nineteen ever returned. But in one year (1857) one hundred and nine British vessels left a single port of Lake Michigan. In practice,

British reciprocity is made up of similar unequal makeweights, and we may say of the whole as we do of this part with great propriety, we got a useless river by giving up a magnificent "inland sea."

If we examine the reciprocity treaty on general principles, as a question of constitutional, political, or domestic policy, the deduction is inevitable that it is radically wrong, unwise, and, under present circumstances, no longer to be tolerated. And if we analyze it in all its varied relations, patiently examining fact by fact, there will not remain enough of sound base to prop it up an hour beyond the period when it can be properly overthrown.

CONCLUSION.

I could wish, in our great historic struggle in behalf of republican institutions and the triumph of world-wide liberal principles, that we were called upon to make some sacrifices on this question in acknowledgement of good-fellowship manifested by our younger brethren across the line, but among their Government organs and press we search almost in vain for any words of good cheer, though we go to Montreal, St. Johns, or Halifax. Exhibiting no affection, but clutching the commercial advantages of the treaty and flattering themselves that it must be perpetual, they became truculent and exultant in proportion as the rebellion seemed to prosper. If no reverses should befall us, they may be expected to cultivate a more placid temper.

But whatever others may do, let us consult our own judgments, our own welfare, and soberly, calmly, and without a lingering regret request the President to give, at the proper time, the notice for the termination of the reciprocity treaty with great Britain.